

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Herbert C. Boehm *et al.*

Application Serial No.: 10/667,935

Group Art Unit: 1712

Filed: September 22, 2003

Examiner: David J. Buttner

For: MULTI-LAYER GOLF BALL WITH A  
THIN, CASTABLE OUTER LAYER

Attorney Docket No. B03-60

**TERMINAL DISCLAIMER**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, Troy R. Lester, represents that he is the Assistant Secretary and Patent Counsel for Acushnet Company, the assignee of the entire right, title and interest in and to the instant application by virtue of an assignment from Herbert C. Boehm, William E. Morgan, Jeffrey L. Dalton, Douglas E. Jones and Christopher Cavallaro to Acushnet Company recorded at reel 014536 and frame 0050.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,677,401 and 6,414,082 ("prior patents"), as such term is defined in 35 U.S.C. §§ 154 and 173 and presently shortened by any terminal disclaimer.

Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. Petitioner further agrees that this agreement is to run with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the prior patents, "as the term of the prior patents is presently shortened by any terminal disclaimer," in the event that the prior patents later:

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expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Statement under 37 C.F.R. § 3.73(b) is submitted herewith.

Please charge the terminal disclaimer fee under 37 C.F.R. § 1.20(d) to the Acushnet Company Deposit Account No. 502309.

Respectfully submitted,



Troy R. Lester (Reg. No. 36,200)  
Chief Patent Counsel  
Acushnet Company

Date: June 17, 2005.

Phone: (508) 979-3534  
Customer Number: 40990

|   |  |                          |                    |
|---|--|--------------------------|--------------------|
| <p>Effective on 12/08/2004.<br/>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2005</h3> |  | <b>Complete If Known</b> |                    |
|   |  | Application Number       | 10/667,935         |
|   |  | Filing Date              | September 22, 2003 |
|   |  | First Named Inventor     | Herbert C. Boehm   |
|   |  | Examiner Name            | David J. Buttner   |
|   |  | Art Unit                 | 1712               |
| TOTAL AMOUNT OF PAYMENT   |  | (\$)                     | 130.00             |
|   |  | Attorney Docket No.      | B03-60             |

**METHOD OF PAYMENT**

- ☒ **Deposit Account**      Deposit Account Number: 502309      Deposit Account Name: Acushnet Company  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below      ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17      ☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type                     | Filing Fee (\$) | Search Fee (\$) | Examination Fee (\$) | Fees Paid (\$) |
|--------------------------------------|-----------------|-----------------|----------------------|----------------|
| <input type="checkbox"/> Utility     | 300             | 500             | 200                  |                |
| <input type="checkbox"/> Design      | 200             | 100             | 130                  |                |
| <input type="checkbox"/> Reissue     | 300             | 500             | 600                  |                |
| <input type="checkbox"/> Provisional | 200             | 0               | 0                    |                |

**2. EXCESS CLAIM FEES**

| <u>Fee Description</u>   | <u>Fee (\$)</u>     |                     |                     |                      |                      |   |   |   |   |    |   |   |  |
|--|---------------------|---------------------|---------------------|----------------------|----------------------|---|---|---|---|----|---|---|--|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent   | 50                  |                     |                     |                      |                      |   |   |   |   |    |   |   |  |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent  | 200                 |                     |                     |                      |                      |   |   |   |   |    |   |   |  |
| <table><tr><td><u>Total Claims</u></td><td><u>Paid TC</u></td><td><u>Extra Claims</u></td><td><u>Fee (\$)</u></td><td><u>Fee Paid (\$)</u></td></tr><tr><td>-</td><td>=</td><td>0</td><td>×</td><td>50</td><td>=</td><td>0</td></tr></table> | <u>Total Claims</u> | <u>Paid TC</u>      | <u>Extra Claims</u> | <u>Fee (\$)</u>      | <u>Fee Paid (\$)</u> | - | = | 0 | × | 50 | = | 0 |  |
| <u>Total Claims</u>  | <u>Paid TC</u>      | <u>Extra Claims</u> | <u>Fee (\$)</u>     | <u>Fee Paid (\$)</u> |                      |   |   |   |   |    |   |   |  |
| -  | =                   | 0                   | ×                   | 50                   | =                    | 0 |   |   |   |    |   |   |  |

Paid TC = the greater of 20 or highest number of total claims paid for

| <u>Independent Claims</u> | <u>Paid IC</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |   |   |
|---------------------------|----------------|---------------------|-----------------|----------------------|---|---|
| -                         | =              | 0                   | ×               | 200                  | = | 0 |

Paid IC = the greater of 3 or highest number of independent claims paid for

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | (round up to integer) | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|-----------------------|-----------------|----------------------|
| - 100 =             | / 50 =              | ×                     | 250             | =                    |

**4. OTHER FEES**

Statutory Disclaimer \$130

Other: [Click here to choose from drop-down list](#)**SUBMITTED BY**

|           |                 |                          |                           |
|-----------|-----------------|--------------------------|---------------------------|
| Signature |                 | Registration No.: 48,619 | Telephone: (508) 979-3540 |
| Name      | William B. Lacy | Date: June 17, 2005      |                           |